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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JONATHAN LEE RICHES,	:	
Plaintiff,	:	PRISONER CIVIL RIGHTS
	:	42 U.S.C. § 1983
v.	:	
	:	CIVIL ACTION NO.
VARIOUS DEFENDANTS.	:	1:07-CV-2313-WBH
	:	1:07-CV-2592-WBH
	:	1:07-CV-2609-WBH

ORDER

Plaintiff, an inmate at the Williamsburg Federal Correctional Institution ("FCI-Williamsburg") in Salters, South Carolina has filed the three above-styled complaints without payment of a filing fee.

According to 28 U.S.C. § 1915(g), a prisoner is prohibited from bringing a civil action in federal court in forma pauperis "if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury."

The records of the federal courts indicate that Plaintiff has filed numerous federal lawsuits, at least three of which were dismissed prior to service of process as frivolous pursuant to 28 U.S.C. § 1915. See Riches v. Guantanamo Bay, Case No.

2:07-CV-13041-VAR (E.D. Mich., Order of Aug. 8, 2007); Riches v. Bureau of Prisons, Case No. 6:06-CV-00194-MBS (D.S.C., Order of Mar. 17, 2006); Riches v. Doe, Case No. 1:07-CV-20042-FAM (S.D. Fla., Order of Jan. 24, 2007). Additionally, this Court finds that the assertions set forth in Plaintiff's complaints lack sufficient credibility to qualify as a claim of imminent danger of serious physical injury.

According to the Eleventh Circuit, "the proper procedure is for the district court to dismiss the complaint without prejudice when it denies the prisoner leave to proceed in forma pauperis pursuant to the three strikes provision of § 1915(g). The prisoner . . . must pay the filing fee at the time he initiates the suit." Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002). Accordingly,

IT IS THEREFORE ORDERED that the Plaintiff's three actions, Civil Action No.s 1:07-CV-2313-WBH, 1:07-CV-2592-WBH, and 1:07-CV-2609-WBH are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915(g).

IT IS SO ORDERED this 23 day of October, 2007.

WILLIS B. HUNT, JR.
SENIOR UNITED STATES DISTRICT JUDGE

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(Rev.8/82)